

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

6060 CORP.
Plaintiff,

v.

MEDMARC CASUALTY INSURANCE
GROUP COMPANY,
Defendant.

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CIVIL ACTION

No. 2:12-cv-3659

ORDER

AND NOW, this 19th day of February 2013, upon consideration of Plaintiff's Renewed Motion for Summary Judgment (Doc. No. 26), Defendant's opposition thereto (Doc. No. 31), Defendant's Renewed Motion for Summary Judgment (Doc. No. 27), Plaintiff's opposition thereto (Doc. No. 30), Defendant's Reply Brief in Further Support of its Renewed Motion for Summary Judgment (Doc. No. 34), and all of the accompanying exhibits, it is hereby ORDERED as follows:

1. Plaintiff's Motion (Doc. No. 26) is GRANTED and Defendant's Motion (Doc. No. 27) is DENIED.
2. Plaintiff 6060 is not obligated by the Program Manager's Agreement to arbitrate any dispute related to the so-called "McCormick Claim" or "McCormick Action" with Defendant Medmarc.
3. Defendant Medmarc is enjoined from seeking to pursue 6060 in arbitration or forcing 6060 to participate in any arbitration for any dispute related to the so-called "McCormick Claim" or "McCormick Action."
4. The Clerk of Court is directed to close this case for statistical purposes.

BY THE COURT:

/s/ Legrome D. Davis
Legrome D. Davis, J.